

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MAKSIM SHERMAN,

PLAINTIFF,

-AGAINST-

COUNTY OF NASSAU AND POLICE OFFICER
DAVID J. MCGARRIGLE,

DEFENDANTS.
-----X

VERDICT SHEET
16-CV-1416 (DRH)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JAN 30 2020 ★
LONG ISLAND OFFICE

INSTRUCTIONS

THE APPLICABLE LAW AS TO THIS CASE IS FULLY SET FORTH IN THE
CHARGE. THE PURPOSE OF THIS FORM IS SOLELY TO ASSIST YOU IN
REPORTING YOUR VERDICT.

YOUR VERDICT MUST BE UNANIMOUS, THAT IS, EACH OF YOU MUST AGREE
ON THE ANSWER TO EACH QUESTION.

FEDERAL CIVIL RIGHTS CLAIM

1. HAS PLAINTIFF'S FEDERAL CIVIL RIGHTS CLAIM OF EXCESSIVE
FORCE BEEN ESTABLISHED AS TO THE DEFENDANT MCGARRIGLE?

YES ✓ NO

STATE LAW CLAIMS

ASSAULT

2. HAS PLAINTIFF'S STATE LAW CLAIM FOR ASSAULT BEEN ESTABLISHED
AS TO DEFENDANT MCGARRIGLE?

YES ✓ NO

BATTERY

3. HAS PLAINTIFF'S STATE LAW CLAIM FOR BATTERY BEEN ESTABLISHED AS TO DEFENDANT MCGARRIGLE?

YES ✓ NO

IF YOU ANSWERED "NO" TO ALL OF QUESTIONS 1, 2 AND 3 YOU HAVE FOUND FOR DEFENDANT MCGARRIGLE. PROCEED NO FURTHER AND SIMPLY REPORT YOUR VERDICT TO THE COURT.

IF YOU ANSWERED "YES" TO ANY OF QUESTIONS 1, 2 OR 3 THEN YOU HAVE FOUND FOR PLAINTIFF, IN WHICH EVENT YOU SHOULD PROCEED TO QUESTIONS 4 THROUGH 6 BELOW.

COMPENSATORY DAMAGES

4. PLEASE STATE THE TOTAL AMOUNT OF COMPENSATORY DAMAGES, IF

ANY, YOU ARE AWARDED PLAINTIFF:

COMPENSATORY DAMAGES (TOTAL AMOUNT)

\$ 100,000.00

NOMINAL DAMAGES (\$1.00)

(TO BE CONSIDERED ONLY IF YOU RETURN A VERDICT FOR PLAINTIFF ON HIS FEDERAL CIVIL RIGHTS EXCESSIVE FORCE CLAIM BUT DO NOT AWARD PLAINTIFF ANY COMPENSATORY DAMAGES ON THAT CLAIM)

5. SHOULD PLAINTIFF BE AWARDED NOMINAL DAMAGES IN THE SUM OF \$1.00 ON HIS FEDERAL CIVIL RIGHTS EXCESSIVE FORCE CLAIM AS AGAINST DEFENDANT?

YES NO ✓ *NA*

PUNITIVE DAMAGES

6. PLEASE STATE THE AMOUNT OF PUNITIVE DAMAGES, IF ANY, YOU ARE AWARDED PLAINTIFF AGAINST DEFENDANT:

PUNITIVE DAMAGES

\$ 1,000,000.00

DATED: JANUARY , 2020
CENTRAL ISLIP, NEW YORK


FOREPERSON